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## FAX Cover Sheet

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<b>Date:</b>	October 9, 2008	<b>Total Pages:</b> 15 including cover sheet
<b>To:</b>	U.S. Patent and Trademark Office	
<b>Attn.:</b>	Examiner E. CHAO	
<b>Fax No.:</b>	(571) 273-8300	
<b>From:</b>	Thomas E. Kocovsky, Jr.	
<b>Re:</b>	US 10/621,119; (MAKO 2 00027-3)	

### COMMENTS:

15 pp:

- 1 pp Fax Cover Sheet
- 1 pp PTO-2038
- 2 pp Small Entity Assertion
- 2 pp Request for a No-Fee One-Month Extension of Time
- 2 pp Notice of Appeal
- 2 pp Form PTO/SB/33
- 5 pp Pre-Appeal Brief Request for Review

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**OCT 09 2008****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of	)	Examiner: E. CHAO
A. QUAID et al.	)	
	)	Art Unit: 3737
Serial No.: 10/621,119	)	
	)	Confirmation: 9089
Filed: July 16, 2003	)	
	)	
For: <b>GUIDANCE SYSTEM AND</b>	)	
<b>METHOD FOR SURGICAL</b>	)	
<b>PROCEDURES WITH</b>	)	
<b>IMPROVED FEEDBACK</b>	)	
	)	
Date of Last Office Action:	)	
June 9, 2008	)	
	)	
Attorney Docket No.:	)	Cleveland, OH 44114
MAKO 2 00027-3 / Z017	)	October 9, 2008

**SMALL ENTITY ASSERTION**

Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Please also note that the above-identified US patent application qualifies as a SMALL ENTITY. Please immediately update the patent record to reflect Small Entity status for this case.

**Certificate of Faxing**

I certify that this **SMALL ENTITY ASSERTION** in connection with Ser. No. 10/621,119 is being  
☒ transmitted to facsimile number 571/273-8300 under 37 C.F.R. § 1.8 on the date indicated below.

Date
October 9, 2008

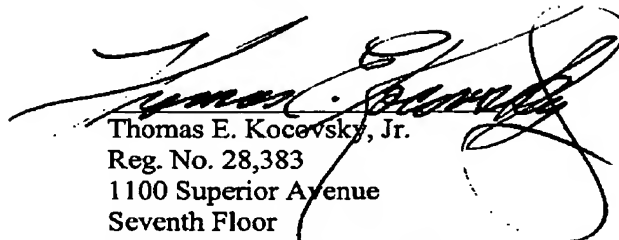
Signature
<i>Hilary M McNulty</i>
Printed Name
Hilary M. McNULTY

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Thank you for your immediate attention to this matter.

Respectfully submitted,

FAY SHARPE LLP



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